



*Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Joseph P. Gill, Deputy Secretary*

Fisheries Regulatory Update, January 2012

Regulations that became Effective since November 2011:

Striped Bass — Commercial Accountability — Proposed

08.02.15.06, .07, .12

Comment Period Ended 10/24/11, Effective 11/28/11

Open Houses: October 4 from 3-8 p.m. at BG Louis G. Smith Armory, 7111 Ocean Gateway, Easton, MD 21601; and October 6 from 3-8 p.m. at Earleigh Heights Volunteer Fire Company, 161 Ritchie Highway, Severna Park, MD 21146

Implement changes to the commercial striped bass fishery to ensure sustainability. Permanent marking of gill nets in Chesapeake Bay; Prohibit gill net reels outside of the striped bass gill net season; Fishing trip notification (hail-in/hail-out); Check station audits; Administrative penalties to allow the Department to suspend an individual's striped bass permit for up to 2 years for violating the provisions of the striped bass COMAR chapter; Enhanced penalties for check stations/dealers.

Fish — River Herring Closure — Proposed

08.02.05.09

Comment Period Ended 11/21/11, Effective 12/26/11

Commercial and recreational closure of the river herring (alewife and blueback herring) fishery in Maryland.

Leasing — Housekeeping Correction — Proposed

08.02.23.02, .03, .04, and .07

Comment Period Ended 12/5/11, Effective 1/9/12

The proposed action adds water column leases to regulation in accordance with HB1053/SB847. These cross-filed bills allow the Department to issue water column leases. The proposed action will correct existing leasing text to include water column leasing by the Department. There are a few minor changes from the emergency proposal that is currently effective. Changes are for clarification purposes and a reference to DHMH regs for vibrio control measures is added.

Oysters — NSSP Requirements — Proposed

08.02.04.03, .04, .06, .16

08.02.02.08

Comment Period Ended 12/5/11, Effective 1/9/12

The proposal has a few changes from the emergency that became effective in August. It corrects references that relate to skipjacks and clarifies that tagging and container requirements apply only to commercial and leases.

Regulations that have been Proposed and are Following the APA Process:

Oysters — Public Shellfish Fishery Areas — Emergency and Proposed

08.02.04.17

Emergency — Effective 10/10/11 through 4/6/12

Proposed — Comment Period Ended 11/21/11, Scheduled Effective 4/2/12

Declassification of PSFA 119 in the Patuxent River in order to issue an aquaculture lease to Rachel Dean.

The public process has not resulted in any opposition to the leased area. All permits and grants are in place.

Nuisance Species — Felt Soled Waders — Proposed

08.02.19.02

Comment Period Ends 1/3/12, Scheduled Effective 2/6/12

The proposal defines felt to prohibit felt like materials.

Fishing in Nontidal Waters — Proposed

08.02.11.01

Comment Period Ends 1/3/12, Scheduled Effective 2/6/12

The proposal designates Boonsboro Pond as a 16, 65, and Blind Trout Fishing area. The pond is located behind the new Boonsboro Free Library on MD Route 34. It was built in 2006 and has been used extensively for children's fishing rodeos and Backyard Fishing events for area young people. Boonsboro officials approached Inland Fisheries and requested that the pond be designated a 16, 65, and Blind Trout Fishing area. This will provide an additional angling opportunity for area youth, senior citizens and blind anglers.

Points & Suspensions Updates — Proposed

08.02.13.02, .03, .05 - .08

Comment Period Ends 1/30/12, Scheduled Effective 3/5/12

Make needed changes to the commercial, charter and recreational penalty systems and to the contested case hearing process.

License Targets — Proposed

08.02.01.05

Comment Period Ends 2/27/12, Scheduled Effective 3/19/12

The purpose of this action is to modify the number of commercial fishing license authorization targets. Modifications to the authorization targets reflect the number of license conversions and the number of LCC, CB3 and TFL buybacks.

Crabs — Proposed

08.02.03.14

Comment Period Ends 2/27/12, Scheduled Effective 3/19/12

The purpose of this action is to unfreeze limited crab harvester licenses (LCC) in order to allow them to participate in the 2012 crab fishery.

Oysters — Power Dredge Study Area — Emergency and Proposed

08.02.04.12

Emergency — Effective 1/19/12 through 4/1/12

Proposed — Comment Period Ends 2/13/11, Scheduled Effective 4/2/12

The purpose of the action is to establish a power dredge study zone in Dorchester County to study the impacts of the power dredge fishery on oyster populations.

Tautog — Proposed

08.02.05.20

Comment Period Ends 2/27/12, Scheduled Effective 4/2/12

The purpose of the action is to bring Maryland into compliance with ASMFC requirements for a reduction in the fishery.

Public Notices Issued November through January:

Commercial Striped Bass Season Modification — Gill Net Opening

Effective at 12:01 a.m. Monday, December 12, 2011, the 2011 striped bass commercial gill net fishery will open only on Tuesdays, Wednesdays, and Thursdays from 3am to 6pm. The daily catch limit will remain 300 pounds per striped bass harvest permit with a daily vessel limit of 1200 pounds per vessel. Published in the Baltimore Sun on Saturday, December 10, 2011

Application for Submerged Land Lease — Farrell and Farrell

The Secretary of Maryland Department of Natural Resources (DNR), pursuant to Natural Resources Article, §4-11A-09(g), Annotated Code of Maryland, is giving notice of an application for submerged land lease by Noble I. Farrell and Sharon L. Farrell in St. Clement's Bay, St. Mary's County, Maryland, on the easterly side thereof, north of Long Pt. along Newtown Neck. Published in the Enterprise on Fridays December 9, 2011, December 16, 2011, December 23, 2011 and December 30, 2011.

Oyster Harvest Reserve Area Openings

Oyster harvest reserve areas described in the notice for areas in the Chester River, Eastern Bay, Choptank River and Mid-Bay will be open for harvest. Harvesting conditions are listed for all sites. Published in The Baltimore Sun and the Star Democrat on Friday, December 9, 2011.

Commercial Striped Bass Season Modification — Gill Net Fishery

Effective at 12:01 a.m. Tuesday, December 20, 2011, the 2011 striped bass commercial gill net fishery will open only on Tuesdays and Wednesdays. Beginning Tuesday, January 3, 2012, the 2012 commercial striped bass season will open on Tuesdays, Wednesdays and Thursdays only. The daily catch limit will remain 300 pounds per striped bass harvest permit with a daily vessel limit of 1200 pounds per vessel. Published in the Baltimore Sun on December 18, 2011.

Public Information Session — Aquaculture Lease — Layman

A public information session regarding the proposed aquaculture leases of Mr. Allen Layman in Irish Creek, Talbot County will be held on Thursday January 5, 2012 from 3-6:30 pm in the Meeting Room at the Talbot County Free Library, St. Michaels Branch. Published in the Star Democrat on December 23, 2011.

Commercial Summer Flounder Quota Modification

Effective January 1, 2012 a Maryland summer flounder permit holder may annually transfer 100 percent of the permittee's individual quota in a maximum of two transactions per year to another summer flounder permittee upon notification of and approval by the Department. The Department will not approve a transfer that would allow a permittee to hold more than 29 percent of the annual quota for Maryland. Published in The Baltimore Sun on December 24, 2011.

Commercial Black Sea Bass Quota Modification

Effective January 1, 2012 a Maryland black sea bass permit holder may annually transfer 100 percent of the permittee's individual quota in a maximum of two transactions per year to another black sea bass permittee upon notification of and approval by the Department. The Department will not approve a transfer that would allow a permittee to hold more than 20 percent of the annual quota for Maryland. Published in The Baltimore Sun on December 24, 2011.

Commercial Striped Bass Season Closure

Effective 12:01 am Wednesday December 28, 2011, the 2011 striped bass commercial gill net fishery is closed and will reopen January 3, 2012. Published in The Baltimore Sun on December 24, 2011.

Commercial Yellow Perch Modification

Modification to the tagging and reporting requirements for the 2012 commercial yellow perch fishery. Fishermen are required to attach a paper tag issued by the Department to all containers of yellow perch prior to landing. Individual fish do not need to be tagged until January 21, 2012. Daily harvest reporting and dealer information is required. Dealers must hold the paper tags until March 10, 2012. Published in The Baltimore Sun on December 30, 2011.

Application for Submerged Land Lease — Leonard

Application for submerged land lease by Samuel R. Leonard, Jr. in Edge Creek, Talbot County, Maryland, located fully within Elberts Cove along the southern shore of Edge Creek. Published in the Star Democrat on January 11, 2012, January 18, 2012, January 25, 2012 and February 1, 2012.

Application for Submerged Land Lease — Point Pleasant Farms

Application for submerged land lease by Point Pleasant Farms near the mouth of Long Cove in Leadenham Creek, Talbot County. Published in the Star Democrat on 1/13/2012, 1/20/2012, 1/27/2012 and 2/3/2012

Commercial Striped Bass Season Closure — Gill Net

Effective 12:01 a.m. Thursday, January 19, 2012 the 2012 striped bass commercial gill net fishery is closed. The fishery will re-open Wednesday, February 1, 2012 at 3:00 a.m. The daily catch limit will be 300 pounds per striped bass harvest permit with a daily vessel limit of 1200 pounds per vessel. Harvest will be permitted only on Tuesdays, Wednesdays and Thursdays during February. Published in The Baltimore Sun on Saturday, January 14, 2012.